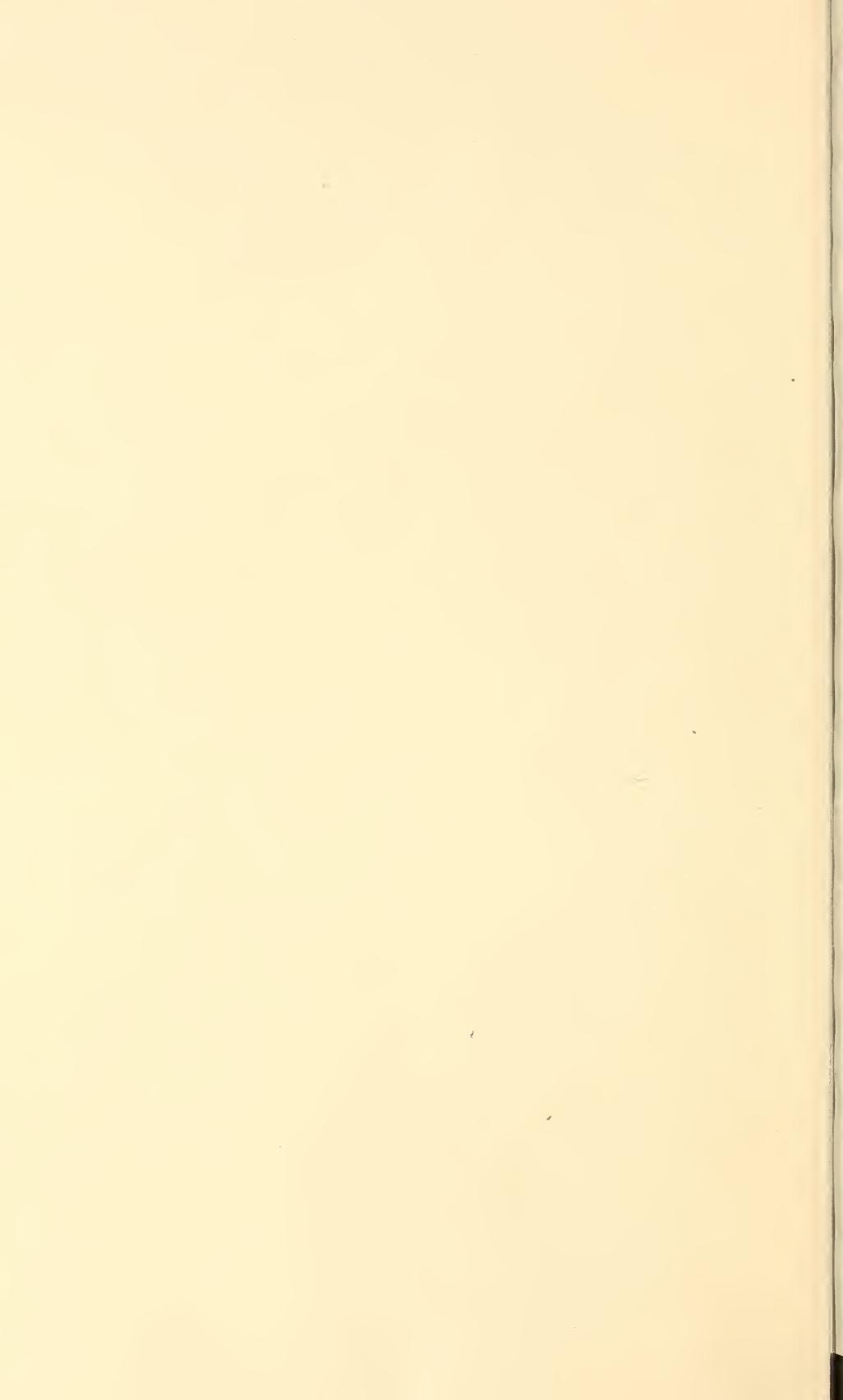


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United States Department of Agriculture
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SERVICE AND REGULATORY ANNOUNCEMENTS

JANUARY-MARCH 1943

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO JAPANESE BEETLE QUARANTINE (NO. 48)

JAPANESE BEETLE QUARANTINED AREA EXTENDED

[Press notice]

JANUARY 27, 1943.

The United States Department of Agriculture announced today that the Japanese beetle quarantine regulations have been amended, effective January 14, 1943, for the sole purpose of extending the regulated areas in Maryland, New York, Pennsylvania, Virginia, and West Virginia. The entire State of Maryland is now within the regulated area except the southernmost section of the Western Shore and two small areas in the westernmost counties of the State. Additions in New York, Pennsylvania, and Virginia are limited to the cities or towns of Silver Creek, Fulton, and Oswego, N. Y., the borough of Wesleyville, in Erie County, Pa., and Pulaski, Radford, Roanoke, West Point, and Woodstock, Va. The new area in West Virginia includes the counties of Barbour, Lewis, and Upshur, the city of Hinton, minor additions in Kanawha County, and Rowlesburg, in Preston County.

That part of the regulated area from which the movement of fruits and vegetables by motortruck or refrigerator car is under regulation—the more heavily infested area—has been extended to include a district each in Norfolk and Princess Anne Counties, Va., sections of the Eastern Shore of Maryland previously

excluded from this area, nine townships in Cumberland and York Counties, Pa., and a few townships each in four New Jersey counties. No other changes are made in the regulations.

B. E. P. Q.—Q. 48

Revision of Regulations 3 and 5
Effective January 14, 1943.

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF JAPANESE BEETLE QUARANTINE REGULATIONS

INTRODUCTORY NOTE

Extensions of the regulated areas in Maryland, New York, Pennsylvania, Virginia, and West Virginia are made in the following revision of regulation 3 (§ 301.48-3). In Maryland, considerable territory on both the Eastern and Western Shores of the State has been brought under regulation, resulting in the inclusion of the entire State except for the southernmost section of the Western Shore and two small areas in the westernmost counties of the State. In New York, the village of Silver Creek, in Chautauqua County, and the cities of Fulton and Oswego, in Oswego County, have been added. In Pennsylvania, the borough of Wesleyville, in Erie County, is the only addition. Virginia extensions include the towns of West Point, in King William County, Pulaski, in Pulaski County, Woodstock, in Shenandoah County, and the cities of Radford and Roanoke. The area in West Virginia has been extended to include the counties of Barbour, Lewis, and Upshur, and the city of Hinton, in Summers County, the districts of Charleston, Elk, Loudon, and Malden, the town of South Charleston, in Kanawha County, and the town of Rowlesburg, in Preston County.

Under regulation 5 (§ 301.48-5) the area from which the movement of fruits and vegetables by motortruck or refrigerator car is regulated has been extended to include a magisterial district each in the Virginia counties of Norfolk and Princess Anne, the remaining sections of the Eastern Shore of Maryland previously excluded from this heavily infested area, nine townships in Cumberland and York Counties, Pa., and a few townships each in Bergen, Morris, Passaic, and Warren Counties, N. J.

AMENDMENT NO. 1 TO THE RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 48

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), §§ 301.48-3 and 301.48-5 of the subpart entitled "Japanese Beetle" of part 301, chapter III, title 7, Code of Federal Regulations [regulations 3 and 5 of the rules and regulations supplemental to Notice of Quarantine No. 48], which were promulgated effective March 24, 1942, are hereby amended effective January 14, 1943, to read as follows:

AREAS UNDER REGULATION

§ 301.48-3. *Regulated areas.*—In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas for the purpose of these regulations the States, Districts, counties, townships, towns, cities, election districts, and magisterial districts listed below, including all cities, towns, boroughs, or other political subdivisions within their limits:

Connecticut.—The entire State.

Delaware.—The entire State.

District of Columbia.—The entire District.

Maine.—County of York; towns of Auburn and Lewiston, in *Androscoggin County*; towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarborough, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County*; the city of Waterville, in *Kennebec County*; and the city of Brewer, in *Penobscot County*.

Maryland.—The entire State except the counties of Garrett and St. Marys; the election districts of Orleans (No. 1), Oldtown (No. 2), Flintstone (No. 3), North Branch (No. 16), Gross (No. 21), and Kifer (No. 33), in *Allegany County*; the election districts of Hill Top (No. 2), Cross Roads (No. 3), Allens Fresh (No. 4), Harris Lot (No. 5), Bryantown (No. 8), Patuxent (No. 9), and Maibury (No. 10), in *Charles County*; and the election district of Hancock (No. 5), in *Washington County*.

Massachusetts.—The entire State.

New Hampshire.—Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County*; towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County*.

New Jersey.—The entire State.

New York.—Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County*; city of Auburn and the towns of Fleming, Owasco, and Sennett, in *Cayuga County*; village of Silver Creek, in *Chautauqua County*; towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County*; towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls, in *Herkimer County*; town of Watertown and city of Watertown in *Jefferson County*; town of Mount Morris and village of Mount Morris, in *Livington County*; city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in *Monroe County*; town of Manchester, in *Ontario County*; cities of Fulton and Oswego, in *Oswego County*; towns of Catharine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County*; towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County*; towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County*; towns of Luzerne and Queensbury and the city of Glens Falls, in *Warren County*.

Ohio.—Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County*; the city of Columbus, and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County*; townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County*; the township of Newark and the city of Newark, in *Licking County*; the city of Toledo, in *Lucas County*; the township of Madison and the city of Mansfield, in *Richland County*; townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County*.

Pennsylvania.—The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in *Crawford County*; the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in *Erie County*; the townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry,

Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and the boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stonesboro, in *Mercer County*.

Rhode Island.—The entire State.

Vermont.—Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County*.

Virginia.—Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Matoaca, in *Chesterfield County*; town of Emporia, in *Greensville County*; town of West Point, in *King William County*; magisterial district of Sleepy Hole, in *Nansemond County*; village of Schoolfield, in *Pittsylvania County*; town of Pulaski, in *Pulaski County*; magisterial districts of Hampton, Jackson, and Wakefield, in *Rappahannock County*; town of Woodstock, in *Shenandoah County*; magisterial district of Courtland, in *Spotsylvania County*; town of Front Royal, in *Warren County*; magisterial district of Newport, in *Warwick County*; magisterial district of Washington, in *Westmoreland County*; and the cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, and Winchester.

West Virginia.—Counties of Barbour, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Monongalia, Ohio, Taylor, and Upshur; magisterial districts of Arden, Falling Waters, Hedgesville, and Opequon and the city of Martinsburg, in *Berkeley County*; districts of Charleston, Elk, Loudon, and Malden, the city of Charleston, and the town of South Charleston, in *Kanawha County*; magisterial districts of Sand Hill, Union, Washington, and Webster, in *Marshall County*; town of Keyser and magisterial district of Frankfort, in *Mineral County*; the town of Rowlesburg, in *Preston County*; city of Hinton, in *Summers County*; magisterial district of Lincoln, in *Tyler County*; town of Padon City, in *Tyler* and *Wetzel Counties*; the city of Parkersburg and magisterial districts of Lubeck and Tygart, in *Wood County*.

MOVEMENT OF FRUITS AND VEGETABLES

§ 301.48-5. Restrictions on the movement of fruits and vegetables—(a) Control of movement.—(1) Unless a certificate shall have been issued therefor, by an inspector, except as provided in subdivisions (i) to (iv), inclusive, of this section, no fruits or vegetables of any kind shall be moved interstate via refrigerator car or motortruck from any of the areas listed below to or through any point outside the regulated areas:

Delaware.—The entire State.

District of Columbia.—The entire District.

Maryland.—Counties of Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester; election districts Nos. 3, 4, and 5, in *Anne Arundel County*; the city of Baltimore; election districts of Ells Ridge (No. 1), and Ellicott City (No. 2), in *Howard County*.

New Jersey.—Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Boonton, Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Montville, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, the town of Boonton and the boroughs of Chatham, Florham Park, Lincoln Park, Madison, Mendham, Morris Plains, and Mountain Lakes, in *Morris County*; townships of Little Falls and Wayne, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County*; townships of Allamuchy, Franklin, Greenwich, Hackettstown, Independence, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County*.

Pennsylvania.—Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of *Berks County* except the townships of Albany, Bethel, Centre, Greenwich, Jefferson, Marion, North Heidelberg, Penn, Perry, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken, and Windsor, and the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Shoemakersville, Strausstown, and West Leesport; townships of Lower Allen, Monroe, and Upper Allen, and

boroughs of Lemoyne, Mechanicsburg, and New Cumberland, in *Cumberland County*; townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County*; all of *Lehigh County* except the townships of Heidelberg, Lowhill, Lynn, Washington, and Weisenberg, and borough of Slatington; all of *Northampton County* except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Stockertown, Walnutport, and Wind Gap; and all of *York County* except the townships of Carroll, Codorus, Dover, Franklin, Heidelberg, Jackson, Manheim, Monaghan, Paradise, Penn, Warrington, Washington, and West Manheim, and boroughs of Dillsburg, Dover, Franklintown, Hanover, Jefferson, Spring Grove, and Wellsville.

Virginia.—Counties of Accomac, Arlington, and Northampton; magisterial district of Tanners Creek, in *Norfolk County*, and magisterial district of Kempsville, in *Princess Anne County*.

Provided, that shipments of fruits and vegetables moving interstate from the area specified in paragraph (a) (1) of this section to other points in the regulated area and subsequently diverted to points outside the regulated area, shall be regarded as direct shipments from the points of origin. As such they require certification:

Provided further. That the Chief of the Bureau of Entomology and Plant Quarantine may by administrative instructions extend or reduce the areas specified in this section when in his judgment such action is considered advisable.

(i) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

Virginia.—The counties of Accomac and Northampton; magisterial district of Tanners Creek, in *Norfolk County*, and magisterial district of Kempsville, in *Princess Anne County*.

(ii) No certificate or permit will be required for the interstate movement of fruits and vegetables when transported by a common carrier on a through bill of lading either from a point outside the area designated in this section through that area to another outside point, or from the area designated in this section through a nonregulated area to another regulated area, except that a certificate is required for interstate movement from the area specified in paragraph (a) (1) of this section to Toledo, Ohio, and Charlottesville and Winchester, Va. No restrictions are placed on the movement of fruits and vegetables from the above-named isolated points.

(iii) No restrictions are placed on the interstate movement of fruits and vegetables when they shall have been manufactured or processed in such a manner that in the judgment of the inspector no infestation could be transmitted.

(iv) No restrictions are placed on the interstate movement of fruits and vegetables from the area listed in paragraph (a) (1) of this section to the remainder of the regulated area, other than as specified in subdivision (ii) of this section.

(b) *Conditions of certification*.—Certificates may be issued for the interstate movement of fruits and vegetables between June 15 and October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from Accomac County, Northampton County, magisterial district of Tanners Creek, in *Norfolk County*, or magisterial district of Kempsville, in *Princess Anne County*, Va.) under one of the following conditions:

(1) When the fruits and vegetables moving by motortruck have actually been inspected by the United States Department of Agriculture and found free from infestation. The number of inspection points for such certification will be limited, and their location determined, by shipping needs, and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection. Such inspection may be discontinued and certification withheld by the inspector during periods of general or unusual flight of the beetles.

(2) When the fruits and vegetables have been handled or treated under the observation of an inspector in manner and by method to free them from any infestation.

(3) When the fruits and vegetables have originated outside the areas designated in this section, and are to be reshipped directly from freight yards, transfer points, or unloading docks within such areas, under provisions satis-

factory to the inspector for safeguarding of such shipments, pending certification and reshipment. Certificates on this basis will be issued without inspection only in cases where, in the judgment of the inspector, the shipments concerned have not been exposed to infestation while within such freight yards, transfer points, or unloading docks.

(4) When the fruits and vegetables were grown in districts where the fact has been established to the satisfaction of the inspector that no infestation exists, and are to be shipped directly from the farms where grown to points outside the areas designated in paragraph (a) (1) of this section, or are shipped from infested districts where the fact has been established to the satisfaction of the inspector that the Japanese beetle has not begun or has ceased its flight.

(5) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been inspected and loaded in a manner to prevent infestation, in a refrigerator car with closed or adequately screened doors and hatches, which car prior to loading has been determined by an inspector as fumigated or thoroughly swept and cleaned by the common carrier in a manner to rid it of infestation. During the interval between fumigation or cleaning and loading, such refrigerator car must be tightly closed and sealed. (For further requirements on the cleaning of refrigerator cars, see § 301.48-13.)

(6) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been fumigated in the car, when deemed necessary in the judgment of the inspector, and when the doors and hatches of the car have been tightly closed or adequately screened under the supervision of an inspector.

(7 CFR § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

This amendment shall be effective on and after January 14, 1943.

Done at the city of Washington this 12th day of January 1943.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[Copies of the foregoing amendment were sent to all common carriers doing business in or through the quarantined territory.]

[Filed with the Division of the Federal Register January 12, 1943, 11:35 a. m.; 8 F. R. 537.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., January 12, 1943.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), has promulgated an amendment, effective on and after January 14, 1943, of the Japanese beetle quarantine regulations supplemental to Notice of Quarantine No. 301.48. The purpose of this amendment is to bring under regulation considerable territory in Maryland and West Virginia and to add the towns and cities of Silver Creek, Fulton, and Oswego, N. Y., Pulaski, Radford, Roanoke, West Point, and Woodstock, Va., and the borough of Wesleyville, in Erie County, Pa. The area from which the motortruck or refrigerator car movement of fruits and vegetables is regulated is extended in Norfolk and Princess Anne Counties, Va., the Eastern Shore of Maryland, Cumberland and York Counties, Pa., and Bergen, Morris, Passaic, and Warren Counties, N. J.

Copies of the amendment may be obtained from the Bureau of Entomology and Plant Quarantine, Department of Agriculture, Washington.

CLAUDE R. WICKARD,
Secretary.

[The above notice was published in the following newspapers: The Times, Hartford, Conn., January 22, 1943; the Journal, Wilmington, Del., January 21, 1943; the Evening Star, Washington, D. C., January 22, 1943; the Press Herald, Portland, Maine, January 22, 1943; the Sun, Baltimore, Md., January 22, 1943; the Post, Boston, Mass., January 22, 1943; the Union, Manchester, N. H., January 23, 1943; the News, Newark, N. J., January 22, 1943; the New York Times, New York, N. Y., January 22, 1943; the Press, Cleveland, Ohio, February 8, 1943; the Bulletin, Philadelphia, Pa., January 21, 1943; the Bulletin, Providence, R. I., January 22, 1943; the Free Press, Burlington, Vt., January 23, 1943; the News-Leader, Richmond, Va., January 25, 1943; and the Gazette, Charleston, W. Va., January 22, 1943.]

ANNOUNCEMENTS RELATING TO MEXICAN FRUITFLY QUARANTINE (NO. 64)

HARVESTING SEASON FOR ORANGES AND GRAPEFRUIT IN TEXAS EXTENDED

[Press notice]

MARCH 9, 1943.

The Mexican fruitfly quarantine regulations have been modified by extending the harvesting season for oranges and grapefruit in the Texas counties of Brooks, Cameron, Hidalgo, and Willacy to the close of May 31 for this year, on condition that sterilization by approved methods be required for oranges and grapefruit if there is a risk of the spread of the fruitfly, the U. S. Department of Agriculture said today.

The harvest season normally closes under the regulations on April 30 except that grapefruit harvest in the counties of Dimmit, La Salle, and Webb ends on the last day of February, and no modification was made in the harvest season in those counties. The harvest season begins on September 1 each year. A fruit-free period is maintained during the summer months for the purpose of preventing the build-up of infestations in the lower Rio Grande Valley.

In view of light infestation of these flies in the lower Rio Grande Valley at this time, and since sterilization of fruit as a condition of movement from the Valley will be required if necessary, it is believed that little additional risk of disseminating fruitflies is involved in extending the shipping season. Further factors influencing this decision include point rationing (the effect of which is to divert more fruit to shipment in the fresh form), labor needs of other industries, and transportation requirements.

The need for the extension of the harvest season was determined through consultation of the Chief of the Bureau of Entomology and Plant Quarantine with the Texas State Commissioner of Agriculture.

B. E. P. Q. 526

Effective March 1, 1943

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY REGULATIONS MODIFIED—HARVESTING SEASON EXTENDED

§ 301.64-5d *Administrative instructions modifying the restrictions of the Mexican fruitfly quarantine by extending the harvesting season on oranges and grapefruit.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.64, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 64], it having been determined by me that a modification may be safely made without increasing the risk of spread of the Mexican fruitfly, § 301.64-5 (a) [paragraph (a) of regulation 5 supplemental to this quarantine] is hereby modified effective March 1, 1943, to extend the harvesting season for oranges and grapefruit for the Texas counties of Brooks, Cameron, Hidalgo, and Willacy, and that part of Jim Wells County under regulation, to the close of May 31 for the year 1943, provided that sterilization of the fruit as a condition of interstate movement from the above counties may be required as provided in § 301.64-4 (e) (paragraph (e) of regulation 4).

The host-free period for oranges and grapefruit, under this modification, will begin June 1 and continue through August 31, 1943, inclusive, in the above-named counties.

The harvesting season normally closes, under the regulations, on April 30, except that in the counties of Dimmit, La Salle, and Webb, the grapefruit harvest

season closes on the last day of February, and no extension is made as to that season in these three counties.

(7 CFR § 301.64-5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

Done at Washington, D. C., this 27th day of February 1943.

P. N. ANNAND,
Chief.

[Filed with the Division of the Federal Register March 6, 1943, 3:52 p. m.; 8 F. R. 2813.]

ANNOUNCEMENT RELATING TO NURSERY STOCK, PLANT, AND SEED QUARANTINE (NO. 37)

B. E. P. Q. 523, Supplement No. 1

Effective January 16, 1943

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN PLANT QUARANTINE NOTICES

ADDITIONAL QUANTITY LIMITS FOR PLANTS IMPORTED FOR PROPAGATION PURPOSES

P. Q. C. A. 278, revised, listed for representative genera of plants for propagation purposes the quantity limits which any individual might import during any current fiscal year. B. E. P. Q. 523, effective May 11, 1942, added a supplemental list of genera with their corresponding quantity limits, and provided for a 25 percent increase in the limits fixed by both the original and supplemental lists, effective July 1, 1942. It is now proposed to increase the quantity limits already authorized by 60 percent.

§ 319.37-14a. *Administrative instructions; limitations on special-permit plant material entered for propagation under § 319.37-14.*—Chapter III, Title 7, Code of Federal Regulations, § 319.37-14a [P. Q. C. A. 278, revised, July 14, 1931] as amended May 11, 1942, by B. E. P. Q. 523, is hereby amended further, effective January 16, 1943, to increase the quantity limits specified in § 319.37-14a for both the original list and the supplemental list effective May 11, 1942, by 60 percent.

(7 CFR § 319.37-14; sec. 7, 37 Stat. 317; 7 U. S. C. 160.)

Done at Washington, D. C., this 2d day of January 1943.

P. N. ANNAND,
Chief.

[Filed with the Division of the Federal Register January 12, 1943, 9:10 a. m.; 8 F. R. 472.]

ANNOUNCEMENTS RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

COTTON QUARANTINE EXTENDED IN TEXAS

[Press notice]

FEBRUARY 6, 1943.

Quarantine regulations on account of the pink bollworm of cotton have been amended, effective February 10, 1943, the Department of Agriculture said today, because of the recent finding of a light infestation in Live Oak County, Tex. The infestation is a few miles north of the lightly infested area of southern Texas made up of 18 counties including the lower Rio Grande Valley and the Coastal Bend. The northward extension of the regulated area by this amendment involves only minor parts of Live Oak and McMullen Counties. Another lightly infested area is located in western Texas, made up of 25 counties and parts of 4 others. Five counties in that part of the State and a portion of a sixth, are heavily infested. No change has been made in these two western areas, nor in the 12 counties in New Mexico, nor in 6 in Arizona and part of a seventh, all of which are in the lightly infested parts of the regulated areas.

The pink bollworm is the most important pest of cotton and causes material losses in practically all cotton-producing regions of the world except in the United States. In our country it has become established in limited areas along the Mexican border. These sections have been placed under quarantine and products which may carry the pest are moved under safeguards to prevent artificial spread. In addition, suppressive measures are being applied in co-operation with the States, local agencies and individuals.

The injury is caused by the small, whitish, or pinkish caterpillars which feed on the squares, bolls, and seeds. It destroys the seed and reduces the quantity and quality of lint. The adults are small brown moths somewhat resembling the common clothes moth, active at night, quiet in the daytime, and easily overlooked even when abundant. They may move considerable distances, especially when aided by wind currents, and thus spread infestation by natural unpreventable means.

B. E. P. Q.—Q. 52

Revision of Regulation 2
Effective February 10, 1943
Reprint of Regulations 3 and 4

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF PINK BOLLWORM QUARANTINE REGULATIONS

INTRODUCTORY NOTE

Owing to the discovery of a light infestation of the pink bollworm slightly beyond the northern boundary of the lightly infested area in southern Texas, the regulated area is extended in this amendment to include small areas in Live Oak and McMullen Counties. No other modification is made in the regulations by this amendment. For the convenience of shippers and others, regulations 3 and 4, which were revised in amendment No. 1, are reprinted herein, the current document superseding amendment No. 3, which became effective on November 20, 1939.

AMENDMENT NO. 4 TO THE REVISED REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 52

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), § 301.52-2 of the subpart entitled "Pink Bollworm" of part 301, chapter III, title 7, Code of Federal Regulations [regulation 2 of the revised regulations supplemental to Notice of Quarantine No. 52], which was promulgated March 7, 1939, as amended, is hereby amended further to read as follows:

AREAS UNDER REGULATION

§ 301.52-2. *Regulated areas.*—The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

Heavily infested areas—Texas.—Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of Hudspeth County, except that part of the northwest corner of said county lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

Lightly infested areas—Arizona.—Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County¹ except that part lying west of the western boundary line of range 8 east.

¹ Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

New Mexico.—Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Roosevelt, Sierra, Socorro, and Valencia.

Texas.—Counties of Andrews, Brooks, Cameron, Cochran, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Hockley, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Bailey County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of league 207; thence west following the northern boundary line of leagues 207, 203, 191, 188, 175, and 171 to the northwest corner of league 171; thence south on the western line of league 171 to the northeast corner of the W. H. L. survey; thence west along the northern boundary of the W. H. L. survey and the northern boundary of sections 68, 67, 68, 65, 64, 63, 62, 61, and 60 of block A of the M. B. & B. survey to the western boundary of said county; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Lamb County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of section 9 of the R. M. Thomson survey; thence west following the northern boundary line of sections 9 and 10 of the R. M. Thomson survey and the northern boundary line of sections 6, 5, 4, 3, 2, and 1 of the T. A. Thompson survey and the northern boundary line of leagues 637, 636, and 635 to the southeast corner of league 239; thence north on the eastern boundary line of league 239 to the northeast corner of said league; thence west on the northern boundary line of leagues 239, 238, 233, 222, 218, and 207 to the western boundary line of said county; and those parts of *Live Oak and McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point on said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

RESTRICTED ARTICLES

§ 301.52-3. *Articles the interstate movement of which is restricted or prohibited*—(a) *Articles prohibited movement*.—The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement*.—Seed cotton, cotton lint, and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas as prescribed herein.

CONDITIONS OF CERTIFICATION

§ 301.52-4. *Conditions governing the issuance of certificates*—(a) *Cotton lint and linters*.—A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than one sixty-fourth inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided*, That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further*, That certificates may be issued for the interstate movement of linters produced from sterilized seed originating in a lightly infested area when produced in an authorized oil mill.

(b) *Cottonseed*.—A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds:

Provided, That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal*.—Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton*.—The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra*.—Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to contiguous infested area*.—No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

(7 CFR § 301.52; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

This amendment shall be effective on and after February 10, 1943, and shall, on that date, supersede amendment No. 3, which became effective on November 20, 1939.

Done at the city of Washington this 4th day of February 1943.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[Copies of the foregoing amendment were sent to all common carriers doing business in or through the quarantined territory.]

[Filed with the Division of the Federal Register February 5, 1943, 11:32 a. m.; 8 F. R. 1670.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 4, 1943.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), has promulgated Amendment No. 4 to the revised regulations supplemental to the pink bollworm quarantine (Quarantine No. 52), effective on and after February 10, 1943. The purpose of the amendment is to add to the regulated area parts of the Texas counties of Live Oak and McMullen. Copies of the amendment may be obtained from the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington, D. C.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[The above notice was published in the following newspapers: The Republic, Phoenix, Ariz., February 16, 1943; the Journal, Albuquerque, N. Mex., February 16, 1943; and the Chronicle, Houston, Tex., February 15, 1943.]

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, March 10, 1943.

POSTMASTER:

MY DEAR SIR: The enclosed copy of Amendment No. 4 to the Revised Regulations Supplemental to Notice of Quarantine No. 52, of the U. S. Department of Agriculture, on account of the pink bollworm, effective February 10, 1943, extends the regulated areas to include parts of the Texas counties of Live Oak and

McMullen. Postmasters in the quarantined areas will please be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

ANNOUNCEMENTS RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, January 12, 1943.

POSTMASTER:

MY DEAR SIR: Attention is invited to the inclosed revision of Plant Quarantine Order No. 72 on account of the white-fringed beetle, issued by the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, placing a small part of North Carolina under regulation and extending slightly the quarantined areas in Alabama and Mississippi. Attention is also invited to the accompanying Administrative Instructions (Eleventh revision) modifying the certificate requirements with respect to certain articles, as indicated. Postmasters in the quarantined areas will please be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

B. E. P. Q. 503, Fourth Revision
Supplement No. 1, First Revision

Effective January 18, 1943

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED TREATMENT AUTHORIZED

INTRODUCTORY NOTE

Recent investigational work has shown that it is possible to kill all stages of the different white-fringed beetles by methyl bromide fumigation under partial vacuum under a series of dosage schedules modified to compensate for variations in the soil-ball temperatures. It has also been found that *Pantomorus percigrinus* is slightly more resistant to fumigation than the other species, therefore a separate series of schedules has been developed for that species. These schedules permit fumigation of plants at the existing soil temperature in most instances, without the necessity of heating soil balls to a prescribed temperature of 70° F. as required heretofore. The administrative instructions as to fumigation of plants in pots or in soil balls, as specified in Circular B. E. P. Q. 503, Fourth revision, and supplement No. 1, which became effective May 6, 1942, are hereby further revised accordingly. All authorized treatments are now set forth in the above circular and in the current supplement.

§ 301.72-5c² *Administrative instructions—Treatments authorized.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (a) of § 301.72-5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-

² Superseding §§ 301.72-5a and b.

fringed beetle, as revised], subparagraph (2) of paragraph (a) of § 301.72-5c [page 2 of the mimeographed edition of Circular B. E. P. Q. 503, Fourth revision] is hereby modified further effective January 18, 1943, to read as follows:

(2) *Methyl bromide fumigation under partial vacuum*.—(i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury may be done with dosage schedules as prescribed below. The vacuum shall be maintained during the entire period. The period of fumigation shall be 1½ hours in all instances.

| Species | Soil temperatures at least | Dosage per 1,000 cubic feet |
|--|----------------------------|-----------------------------|
| | °F. | Pounds |
| For <i>Pantomorus</i> spp. (except <i>P. peregrinus</i>) | 50 | 5.5 |
| | 55 | 4.5 |
| | 60 | 4.0 |
| | 65 | 3.5 |
| | 70 | 3.0 |
| | 75 | 2.5 |
| For <i>P. peregrinus</i> or mixed species including <i>P. peregrinus</i> | 50 | 5.5 |
| | 55 | 5.0 |
| | 60 | 4.5 |
| | 65 | 4.0 |
| | 70 | 3.5 |
| | 75 | 3.0 |

(ii) The soil masses shall have a diameter of not more than 16 inches if spherical, or if not spherical the masses or pots shall be of such size that no point within them will be more than 8 inches from the nearest point on the surface.

(iii) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and to bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

(v) A standard vacuum fumigation chamber that can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) in not more than 20 minutes is necessary.

The following paragraphs concerning the effects of methyl bromide, as quoted from circular B. E. P. Q. 503, Fourth Revision, are brought forward as a precaution to persons concerned.

(d) *Disclaimer*.—There has been opportunity to test these treatments on only relatively few varieties of plants and in authorizing the movement of potted plants, nursery stock, or soil treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to either plants or operators.

(e) *Caution*.—(1) *Methyl bromide*.—(i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(7 CFR § 301.72-5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)
Done at Washington, D. C., this 7th day of January 1943.

P. N. ANNAND,
Chief.

[Filed with the Division of the Federal Register January 16, 1943, 11:40 a. m.; 8 F. R. 820.]

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period January 1 to March 31, 1943, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act, as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

| Name | Port | Contraband | Penalty |
|-------------------------|-------------------|---|---------|
| Roque Ramirez | Brownsville, Tex. | 1 avocado | \$1.00 |
| Simona Garcia Trevino | do | 18 Irish potatoes | 1.00 |
| Herminia D. Villareal | Del Rio, Tex. | 1 orange | 1.00 |
| Monica Soto de Martinez | do | 3 avocados | 1.00 |
| Leonardia Gonzales | Hidalgo, Tex. | 2 avocados | 1.00 |
| Alfredo Silva | do | 4 avocados | 1.00 |
| Marie Solis Torres | do | 3 oranges | 1.00 |
| Pantaleon Ayala | do | 1 orange | 1.00 |
| Bonifacia Hernandez | do | 3 mangoes | 1.00 |
| San Juan de Leon | do | 3 avocados | 1.00 |
| Maria Fernandez | do | 1 plant | 1.00 |
| Aurora Salazar | do | 2 plants | 1.00 |
| Carlotta Zamora | do | 2 Irish potatoes | 1.00 |
| Natalia H. Gomez | do | 3 avocados | 1.00 |
| Magdalina Contreras | do | do | 1.00 |
| Agustina Alemán | do | 2 avocados | 1.00 |
| Pedro Ponce | do | 1 avocado | 1.00 |
| Maria C. Ramirez | do | 2 oranges | 1.00 |
| Esther Hernandez | Laredo, Tex. | 3 guavas | 1.00 |
| S. R. Lorenzo | do | 2 apples and 4 oranges | 1.00 |
| Dan W. Palmer | do | 20 oranges | 1.00 |
| Maria Luisa Avalos | do | 4 plants | 1.00 |
| Cruz Perez | do | 2 avocados | 1.00 |
| Cipriano Resendiz | do | 14 avocados, 5 avocado seed, and 3 oranges | 1.00 |
| Silvano Gutierrez | do | 2 mameys, 2 sweet limes, and 24 plants | 1.00 |
| Josefa Rivas Soto | do | 1 orange | 1.00 |
| Mrs. Abigail Cruas | do | 1 mamey | 1.00 |
| A. S. Chavez | El Paso, Tex. | 30 pounds thornapples | 3.00 |
| Manuilla Romo | do | 6 oranges | 1.00 |
| Maria Carbajal | do | 4 plants | 1.00 |
| Baldomero Murillo | do | 3 mangoes, 2 mameys, and 28 nodes sugarcane | 1.50 |
| Ignacio Rodriguez | do | 1 orange | .50 |
| Victoria Sanchez | do | 3 plants | .75 |

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E. G. BREWER, *in Field Charge, Japanese Beetle and Gypsy Moth and Brown-Tail Moth Quarantines, and Dutch Elm Disease Eradication (headquarters, East Orange, N. J.).*
R. E. McDONALD, *in Field Charge, Pink Bollworm and Thurberia Weevil Quarantines (headquarters, San Antonio, Tex.).*
P. A. HOIDALE, *in Field Charge, Mexican Fruitfly Quarantine (headquarters, Harlingen, Tex.).*
CLAUDE WAKELAND, *in Field Charge, Grasshopper Control (headquarters, Denver, Colo.).*
A. C. BAKER, *in Field Charge, Fruitfly Investigations (headquarters, Mexico City, Mexico).*

